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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : SZKUDLINSKI, et al.

Appl. No. : 09/185,408

Filed : November 3, 1998

For : GLYCOPROTEIN HORMONE
SUPERAGONISTS

Examiner : Spector, L.M.

) Group Art Unit 1646

) I hereby certify that this correspondence and all
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) Commissioner for Patents, Washington, D.C.
) 20231, on

May 15, 2000

(Date)

James J. Mullen III, Ph.D., Reg. No. 44,957

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The following remarks are in response to the Office Action mailed March 24, 2000 (Paper No. 5), which did not set a shortened statutory period for response.

REMARKS

Claims 1-80 are pending and are subject to restriction and election requirements imposed by the Office Action of March 24, 2000. Concerning the restriction requirement, Applicant elects, without traverse, to prosecute the claims of Group I. As noted by the Examiner in the subject Official Action, Group I comprises Claims 1-25, 30-56, and 68-78, which are drawn to a modified glycoprotein hormone, classified in class 530, subclass 350.

The pending claims are also subject to an election requirement, under 35 U.S.C. § 121. Claims 1-11, 24-47, 57, 64-72, and 74-80, are considered generic by the PTO. In the event that no generic claim is finally held to be allowable, Applicant elects "thyroid-stimulating hormone" as the species for further prosecution. Upon the allowance of a generic claim, Applicant is entitled to consideration of claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR § 1.141.